

From: [John Fortuna](#)
To: [Steen, Ryan P.](#)
Cc: [Morgan, Jason T.](#); [Smith, Connor R.](#)
Subject: RE: Groundfish Forum v. NMFS, No. 3:23-cv-00283-JMK
Date: Friday, February 16, 2024 5:11:47 AM
Attachments: [image001.png](#)
[image002.png](#)



Ryan –

Thanks for your message. Sorry for the delay in getting back to you.

We understand your desire for expedited review and have no intention of delaying resolution of this case. Regarding your requests, we agree to the first and third, subject to our right to request additional pages if you do. I have suggestions regarding the briefing schedule that I believe could add efficiency, which I have already discussed with DOJ, but I will not go to the court with a proposal to alter the schedule without your agreement.

My only real concern is the request that we not file any motion to supplement the record. While we have no intention to file such a request, and I cannot recall ever having filed such a motion, the record has not been produced and we cannot know if it is complete without seeing it.

That said, in my experience, issues regarding the sufficiency of the record can almost always be resolved with DOJ informally without motions practice. I will certainly commit to working with you and DOJ in good faith to attempt to resolve any issues that may arise without involving the court and without causing delay.

I trust you will find the approach above reasonable. I am traveling this week with limited availability, but please feel free to call my cell if you would like to discuss further.

Thanks,

John



John L. Fortuna

T: 404 850 3835
M: 404 858 4797
E: jfortuna@jonesfortuna.com

Jones Fortuna LP
111 New Street, Suite A
Decatur, GA 30030

www.jonesfortuna.com

From: Steen, Ryan P. <ryan.steen@stoel.com>

Sent: Wednesday, February 14, 2024 2:48 PM

To: John Fortuna <jfortuna@jonesfortuna.com>

Cc: Morgan, Jason T. <jason.morgan@stoel.com>; Smith, Connor R. <connor.smith@stoel.com>

Subject: RE: Groundfish Forum v. NMFS, No. 3:23-cv-00283-JMK

External

John –

We've reviewed and considered your clients' motion to intervene and supporting declarations. The Groundfish Forum is willing to file a non-opposition to your clients' motion, subject to agreement on the following conditions:

1. Intervenor will comply with the existing case management schedule and page limits.
2. Intervenor will not file any motion to supplement the record.
3. Intervenor will not file any dispositive motion outside of the briefing set forth in the case management schedule.

Please let me know if these conditions are acceptable. We'd appreciate your response by COB tomorrow.

Thanks,
Ryan

From: John Fortuna <jfortuna@jonesfortuna.com>

Sent: Monday, February 5, 2024 2:06 PM

To: Steen, Ryan P. <ryan.steen@stoel.com>

Cc: Morgan, Jason T. <jason.morgan@stoel.com>; Smith, Connor R. <connor.smith@stoel.com>

Subject: RE: Groundfish Forum v. NMFS, No. 3:23-cv-00283-JMK

— —
Thank you, Ryan. I will report your position as stated.

John



John L. Fortuna

T: 404 850 3835

M: 404 858 4797

E: jfortuna@jonesfortuna.com

Jones Fortuna LP

111 New Street, Suite A
Decatur, GA 30030
www.jonesfortuna.com

From: Steen, Ryan P. <ryan.steen@stoel.com>
Sent: Monday, February 5, 2024 4:49 PM
To: John Fortuna <jfortuna@jonesfortuna.com>
Cc: Morgan, Jason T. <jason.morgan@stoel.com>; Smith, Connor R. <connor.smith@stoel.com>
Subject: RE: Groundfish Forum v. NMFS, No. 3:23-cv-00283-JMK

External

Good afternoon, John –

You may represent our client's position as follows:

Plaintiff will take a position on the motion to intervene after reviewing the motion, and will respond within the timeline provided by local rules.

Thanks, and we look forward to working with you as well.

Ryan

Ryan Steen | Partner
STOEL RIVES LLP | 600 University Street, Suite 3600 | Seattle, WA 98101
Direct: (206) 386-7610 | Mobile: (206) 498-0269
ryan.steen@stoel.com | [Bio](#) | [vCard](#) | www.stoel.com



This email may contain material that is confidential, privileged, and/or attorney work product for the sole use of the intended recipient. Any unauthorized review, use, or distribution is prohibited and may be unlawful.

From: John Fortuna <jfortuna@jonesfortuna.com>
Sent: Monday, February 5, 2024 9:49 AM
To: Steen, Ryan P. <ryan.steen@stoel.com>
Cc: Morgan, Jason T. <jason.morgan@stoel.com>; Smith, Connor R. <connor.smith@stoel.com>

Subject: Groundfish Forum v. NMFS, No. 3:23-cv-00283-JMK

Good morning, Ryan –

Following up on my voicemail, we represent a group of halibut users that will be moving to intervene in the challenge to Amendment 123. Could you please let us know your client's position on our motion so we can report it to the court?

For purposes of forming your position, the group of intervenors consists of: the Central Bering Sea Fishermen's Association; City of Saint Paul, Alaska; Alaska Longline Fishermen's Association; Fishing Vessel Owners' Association; Homer Charter Association; The Boat Company; Petersburg Vessel Owners' Association; Alaska Marine Conservation Council; Halibut Association of North America; North Pacific Fisheries Association; Aleut Community of St. Paul Island Tribal Government; and Seafood Producers Cooperative.

We intend to file our motion soon. If you could please let us know your position by COB today I would appreciate it.

Thank you and I look forward to working with you,

John



John L. Fortuna

T: 404 850 3835

M: 404 858 4797

E: jfortuna@jonesfortuna.com

Jones Fortuna LP
111 New Street, Suite A
Decatur, GA 30030

www.jonesfortuna.com